

CHEM-MATERIALS COMPANY®

SERVING INDUSTRY RESPONSIBLY

16600 SPRAGUE ROAD • CLEVELAND, OHIO 44130-6318 • (440) 243-5590 • FAX: (440) 243-1940

July 2, 2001

JUL 13 2001

U.S Environmental Protection Agency
Deena Sheppard-Johnson, SR-6J
Remedial Enforcement Support Section
77 West Jackson Blvd.
Chicago, IL 60604

Re: The Chemical Recovery Systems Site, Elyria, Ohio General Notice of Potential Liability and Request for Information

Dear Madam:

Regarding the above outlined in an EPA letter dated June 26, 2001 you list Chem-Materials Company as a potentially responsible party based upon a list of "Small Quantity Customers" taken from Ledgers for shipments made in 1979 and 1980.

Please be advised that the Chem-Materials Company you refer to pertains to a former company from whom we purchased their trade name effective January 1, 1987. To verify the above, attached are copies of the following documents:

- 1) Certificate of Amendment to the Articles of Incorporation of Chem-Materials Co., Inc. dated 31, December, 1986.
- 2) Consent for Use of Similar Name dated 31, December, 1986.
- 3) Trade Name Registration dated January 1, 1987.

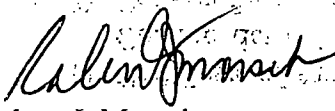
From the attachments, your list of responsible parties should be changed to:

Smart Associates Inc.
FKA Chem-Materials Company

We are not aware of the address of Smart Associates Inc. or whether it still exists. The last known address of its president, Audrey W. Smart was 75 Florentine Way, Olmsted Falls, OH 44138.

Please change your documents accordingly.

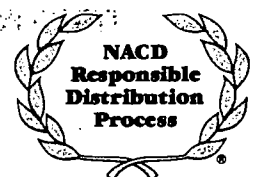
Sincerely yours,
Chem-Materials Company


Robert J. Morsek

US EPA RECORDS CENTER REGION 5



463556



Quality • Responsibility • Stewardship

TRADE NAME REGISTRATION

RECEIVED

1. The exact form of the name to be registered is: CHEM-MATERIALS CO. APR 13 1987
2. The name of the applicant for registration of the trade name is: PROD BY
Robert J. Morsek, Inc.
3. The applicant is : (check appropriate box)
- | | |
|--|--|
| <input type="checkbox"/> an individual | <input type="checkbox"/> a foreign corporation |
| <input type="checkbox"/> General partnership | incorporated in the state |
| <input type="checkbox"/> Limited partnership; County | of _____ |
| in which certificate or appli- | holding Ohio License |
| cation of limited partnership | No. _____ |
| is filed is: _____ | <input type="checkbox"/> an unincorporated |
| <input checked="" type="checkbox"/> an Ohio Corporation, Charter | association |
| No. <u>693597</u> | |
4. The business address of the applicant is: 14735 Lorain Avenue
(street address)
- | | | | |
|-----------------------------|-----------------|-------------|--------------|
| <u>Cleveland</u> | <u>Cuyahoga</u> | <u>Ohio</u> | <u>44111</u> |
| (city, village or township) | (county) | (State) | (zip code) |

Note: If the applicant is a General Partnership, list the name and residence address of every partner. If a Limited Partnership, list the name and residence address of every general partner.

NAMES OF GENERAL PARTNERS

COMPLETE RESIDENCE ADDRESSES

5. The general nature of the business conducted by the applicant under the trade name is:

Chemical Sales

6. The trade name has been used by the applicant in business operations in this state since:

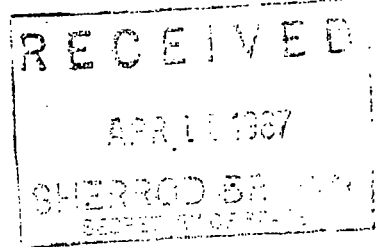
1 1 87
(month) (day) (year)

(NOTE: The name must be used in Ohio prior to registration)

Robert J. Morsek
(Signature of applicant)

President, Robert J. Morsek, Inc.

(Title of signer, if applicant is not an individual)



CONSENT FOR USE
OF SIMILAR NAME

On the 31st day of DECEMBER, 1986
the Board of Directors of CHEM-MATERIALS CO., INC.
(Name of Corporation)

passed the following resolution:

Resolved that CHEM-MATERIALS CO., INC.
(Name of Corporation)

gives its consent to ROBERT B. MORSEK OR HIS SUCCESSOR AND ASSIGNS
(Name of New Company or persons)

to the use of the name CHEM-MATERIALS CO., INC. AND KEMCO
(Name of New Company)

Signed Carl R Withers
~~Secretary or~~ Assistant Secretary
CARL R. WITHERS

COPY

SHERROD BROWN
Secretary of State

Approved by _____

Date _____
Filed _____

RECEIVED

APR 15 1987

SHERROD BROWN
SECRETARY OF STATE

CERTIFICATE OF AMENDMENT
(BY SHAREHOLDERS)
TO THE ARTICLES OF INCORPORATION OF
CHEM-MATERIALS CO., INC.

(Name of Corporation)

AUDREY W. SMART

() Chairman of the Board

(X) President

(check one)

() Vice President

and CARL R. WITHERS

() Secretary

(check one)

(X) Assistant Secretary

of the above named Ohio corporation for profit with its principal location at 14735
Lorain Ave., Cleveland, Ohio do hereby certify that: (check the appropriate box and
complete the appropriate statements)

_____ a meeting of the shareholders was duly called and held on
_____, 19____, at which meeting a quorum
of the shareholders was present in person or by proxy, and by
the affirmative vote of the holders of shares entitling them
to exercise _____% of the voting power of the corporation,

X _____ in a writing signed by all of the shareholders who would be
_____ entitled to a notice of a meeting held for that purpose,

the following resolution was adopted to amend the articles:

from First: The name of said corporation shall be Chem-Materials
Co., Inc.

to First: The name of said corporation shall be Smart Associates,
Inc.

IN WITNESS WHEREOF, the above named officers, acting for and on behalf of the
corporation, have subscribed their names this 31 day of December, 1986.

X Audrey W. Smart
(Chairman, President or ~~Vice President~~)

X Carl R. Withers
(Secretary or Assistant Secretary)

COPY

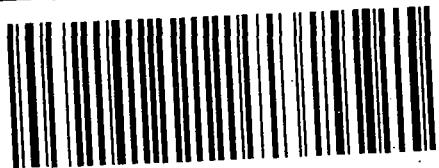
NOTE: Ohio law does not permit one officer to sign in two capacities. Two separate
signatures are required, even if this necessitates the election of a second
officer before the filing can be made.

CHEM-MATERIALS COMPANY

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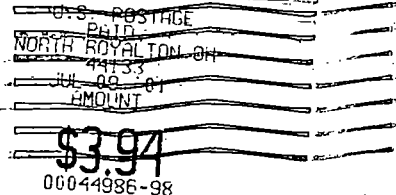
PLACE STICKER AT TOP OF ENVELOPE
TO THE RIGHT OF RETURN ADDRESS.
FOLD AT DOTTED LINE

CERTIFIED MAIL



7000 1530 0000 3661 0855

U.S. Environmental Protection Agency
Deena Sheppard-Johnson, SR-6J
Remedial Enforcement Support Section
77 West Jackson Blvd.
Chicago, IL 60604



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